

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSE R. CUZCO,

Petitioner,

v.

TABB BICKELL,

Respondent.

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CIVIL ACTION

NO. 13-1853

FILED

SEP 18 2013

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 18th day of September 2013, after a careful and independent consideration of the petition for a writ of habeas corpus and of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice (Doc. No. 11), to which no objections have been filed, and the entire record in this case, it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED and ADOPTED**.¹
2. The Petition (Doc. No. 1) is **DENIED** with prejudice.
3. A Certificate of Appealability **SHALL NOT ISSUE**.

The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.

¹ The Court agrees with the Report and Recommendation ("R&R") that the record shows that Petitioner voluntarily entered his guilty plea with full knowledge of its terms. See R&R (Doc. No. 11) at 5-7. The Court also agrees that Petitioner's claim involving alleged PCRA Court error in denying his motion for a continuance is not cognizable as an independent basis for habeas relief. *Id.* at 7-8.